

ADAM R.F. GUSTAFSON, Acting Assistant Attorney General
 United States Department of Justice
 Environment and Natural Resources Division
 MICHELLE M. SPATZ, Trial Attorney
 FRANCES B. MORRIS, Trial Attorney
 P.O. Box 7611, Ben Franklin Station
 Washington, D.C. 20044-7611
 (202) 598-9741 (Spatz)
 (202) 514-2855 (Morris)
 michelle.spatz@usdoj.gov
 frances.morris@usdoj.gov

Attorneys for Federal Defendants

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

CANA FOUNDATION, a non-profit
 corporation, LAURA LEIGH, individually, and
 WILD HORSE EDUCATION, a nonprofit
 corporation,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF THE
 INTERIOR, BUREAU OF LAND
 MANAGEMENT, and JON RABY, Nevada
 State Director of the Bureau of Land
 Management,

Federal Defendants.

Case No. 2:22-cv-01200-CDS-BNW

JOINT STATUS REPORT

Per the parties' joint Status report filed on February 26, 2025, ECF No. 93, Federal Defendants and Plaintiffs submit this joint status report on the status of Federal Defendants' evaluation of Plaintiffs' request for attorney's fees and the parties' efforts to obtain the necessary approvals for their settlement agreement in principle to resolve Plaintiffs' First Amendment

1 claim (Sixth Cause of Action) that the Court referred to mediation in its Order on summary
2 judgment. *See* ECF No. 79 at 39.¹

3 Since the parties' last status report, ECF No. 93, counsel for the parties have agreed on
4 language for a settlement agreement to resolve Plaintiffs' First Amendment claim (Sixth Cause
5 of Action) and an amount to resolve Plaintiffs' claim for attorneys' fees and costs, which they
6 are willing to recommend to their clients. Now that a tentative agreement on the resolution of
7 Plaintiffs' fees request and the language of the settlement agreement has been reached, Federal
8 Defendants can begin their approval processes, under which appropriate officials at BLM, and
9 subsequently DOJ, must review and approve the agreement. Given the ongoing transitions of
10 leadership at BLM and DOJ, Federal Defendants anticipate that they will need more time than
11 usual for these approval processes. In light of the estimated time needed, the parties plan to file
12 another joint status report by **May 20, 2025**, if they have not filed a settlement agreement by that
13 date.
14
15
16

17 Dated: March 20, 2025

Respectfully Submitted,

18
19
20
21
22
23
24
25
26 ¹ Please note that Federal Defendants do not currently have authorization to enter a settlement
27 agreement and any such agreement is subject to the review and approval of the appropriate
28 officials at the Bureau of Land Management ("BLM") and the United States Department of
Justice ("DOJ").

ADAM R.F. GUSTAFSON
Acting Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division

/s/ Michelle M. Spatz
MICHELLE M. SPATZ, Trial Attorney
Wildlife and Marine Resources Section
michelle.spatz@usdoj.gov
(202) 598-9741

FRANCES B. MORRIS, Trial Attorney
Natural Resources Section
frances.morris@usdoj.gov
(202) 514-2855

Attorneys for Federal Defendants

/s/ Jessica L. Blome
Jessica L. Blome
(Cal. Bar No. 314898, admitted pro hac vice)
GREENFIRE LAW, PC
2748 Adeline Street, Suite A
Berkeley, CA 94703
(510) 900-9502
jblome@greenfirelaw.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 20, 2025, I filed the foregoing Joint Status Report electronically through the CM/ECF system, which caused all parties or counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Michelle M. Spatz
Michelle M. Spatz
U.S. Department of Justice